## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTIAN SMITH. :

Plaintiff, : 1:19-cv-0700

:

v. : Hon. John E. Jones III

.

JOHN WETZEL AND VINCENT

MOONEY.

Defendants. :

## <u>ORDER</u>

## May 15, 2019

NOW THEREFORE, upon consideration of Plaintiff's complaint (Doc. 1-2) and motion (Doc. 2) to stay, and for the reasons set forth in the Court's Memorandum of the same date, it is hereby ORDERED that:

- 1. Plaintiff's motion (Doc. 2) to stay is DENIED.
- 2. Plaintiff's complaint (Doc. 1-2) is DISMISSED pursuant to 28 U.S.C. §1915A(a), (b)(1), and 42 U.S.C. § 1997e, without prejudice to Plaintiff's right to file a new action upon completion of exhaustion of the administrative remedy process.
- 3. The Clerk of Court is directed to CLOSE this case.

s/ John E. Jones IIIJohn E. Jones IIIUnited States District Judge